UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF MINNESOTA (DULUTH)

Gary James Vad ar Charity Sue Vad,	nd	
	Debtors,	Chapter 7 Bankruptcy case No.: 04-50139 Adv. No.: 04-5019
Northern State Bank of Gonvick,		
Vs.	Plaintiff,	
Gary James Vad,		
	Defendant.	
ANSWER TO COMPLAINT		

Defendant, Gary James Vad, for his answer to the complaint of the Plaintiff states and alleges as follows:

- The Defendant denies each and every allegation, statement or assertion contained in said complaint unless expressly admitted, qualified or otherwise explained.
- 2. The Defendant acknowledges the existence of exhibit A, B, and C attached to the Plaintiff's complaint. However, with respect to exhibit B, Gary Vad was advised by the loan officer at the time to simply provide estimates of his assets.
- 3. The answering Defendant affirmatively alleges that he is not converted any security pledged to the Plaintiff pursuit to the documentation attached to the complaint as exhibits A, B, and C.

4. The answering Defendant and his wife, Charity Vad, have been and continue to cooperate with the Plaintiff in turning over all machinery, equipment, and tools secured in favor of the Plaintiff except for any tools or equipment which might have been claimed as exempt and for which a lien avoidance will be filed under 11 U.S.C. § 522(f).

5. That the Plaintiff's complaint is defective in that it does not specify the statutory provision providing jurisdiction of the court relative to this proceeding.

WHEREFORE, the Defendant, Gary James Vad, prays for the Judgment, Decree of the Court granting providing as follows:

1. Dismissing the Plaintiff's complaint with prejudice and granting to the Defendant his reasonable attorneys fees and costs along with such other and further relief as to the court may seem just and equitable.

Dated this 19th of May, 2004

/e/ Kevin T. Duffy
Kevin T. Duffy, Atty ID # 134-600
Attorney at Law
P.O. Box 715
Thief River Falls, MN 56701
218/681-8524

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF MINNESOTA (DULUTH)

Gary James Vad and Charity Sue Vad.

Debtors.

Chapter 7

Bankruptcy case No.: 04-50139

Adv. No.: 04-5019

Northern State Bank of Gonvick,

Plaintiff,

Vs.

Gary James Vad,

Defendant.

AFFIDAVIT OF SERVICE

STATE OF MINNESOTA) SS.

COUNTY OF PENNINGTON)

Tammy W. Brausen being first duly sworn, upon oath, deposes and says that in said County and State on May 19, 2004, she served the attached Answer upon the following named persons by then and there placing a true and correct copy therein in a sealed envelope, with postage prepaid thereon, and depositing the same in the U.S. Mail at Thief River Falls, Minnesota, addressed to:

Mr. James C. Fischer Attorney at Law P.O. Box 644 Crookston, MN 56716

Subscribed and sworn to before me on May 19, 2004.

Notary Public

Jamny W. Brausen
Tammy W. Brausen

